

# **The Idaho State Independent Living Council (SILC)**

Issue 3, Legislative Update, May 2006

Dismantling barriers affecting people with disabilities.

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Kelly Buckland, Exec. Director

## **Alternative Formats:**

Available by request.

Large print available only in Microsoft Word Format.

Please call 334-3800 or 1-800-487-4866 for more information.

## Dear Friends of Independent Living

We are pleased to declare the 2006 Legislative Session closed! We are even more pleased to share that this session brought many important victories, as you will read in the review section of this Update.

On behalf of the staff and members of the State Independent Living Council, thank you for doing your part to engage in the legislative process. We deeply appreciate the emails, phone calls, and testimonies that streamed in to the legislators. Your voice made a difference.

Thank you to Governor Kempthorne, and Idaho's Senators and Representatives who supported SILC priorities. Their support makes Idaho a great place for all Idahoans to live and work!

Roger Howard

Kelly Buckland

### Hang Ten on The Web:

Find a wealth of up to the minute information on bills, process, legislators, and more on the Idaho Legislature Home Page: [www.legislature.idaho.gov](http://www.legislature.idaho.gov)

### Ways to be a citizen lobbyist:

Write a letter to the editor of your local paper

Speak out and be visible

Donate money or time to organizations that advocate on your behalf

Copy this Legislative Update and pass it on

Contact your legislators

### LEGISLATIVE SCORECARDS

How did your Senators and Representatives vote in terms of SILC legislative priorities contained in this Legislative Update? The percentage equals the total number of times the Legislator voted in-line with SILC priorities, as reflected in this update, divided by the total number of pieces of legislation contained in this update, that the Legislator voted on. PLEASE NOTE that this scorecard provides one tool for measuring a Legislators support. Other factors, including technical help in developing legislation and floor sponsorship of bills, must also be considered to gain the whole picture of an individual legislator's degree of support for the disability rights movement.

## LEGISLATIVE SCORECARD—SENATORS

| SENATOR    | FIRST NAME | CITY          | DISTRICT | PARTY | % VOTES | GRADE |
|------------|------------|---------------|----------|-------|---------|-------|
| Andreason  | John C     | Boise         | 15       | R     | 100     | A+    |
| Brandt     | R. Skipper | Kooskia       | 8        | R     | 100     | A+    |
| Broadsword | Joyce M.   | Cocolalla     | 2        | R     | 100     | A+    |
| Bunderson  | Hal        | Meridian      | 14       | R     | 96      | A     |
| Burkett    | Mike       | Boise         | 19       | D     | 100     | A+    |
| Burtenshaw | Don M.     | Terreton      | 35       | R     | 96      | A     |
| Cameron    | Dean L.    | Rupert        | 26       | R     | 96      | A     |
| Coiner     | Charles H. | Twin Falls    | 24       | R     | 100     | A+    |
| Compton    | Richard L. | Coeur d'Alene | 5        | R     | 100     | A+    |
| Corder     | Tim        | Mountain Home | 22       | R     | 96      | A     |
| Darrinton  | Denton     | Declo         | 27       | R     | 100     | A+    |
| Davis      | Bart M.    | Idaho Falls   | 33       | R     | 96      | A     |
| Fulcher    | Russell M. | Meridian      | 21       | R     | 96      | A     |
| Gannon     | Tom        | Buhl          | 23       | R     | 100     | A+    |
| Geddes     | Robert L.  | Soda Springs  | 31       | R     | 100     | A+    |
| Goedde     | John W.    | Coeur d'Alene | 4        | R     | 100     | A+    |
| Hill       | Brent      | Rexburg       | 34       | R     | 96      | A     |

|            |            |              |    |   |     |    |
|------------|------------|--------------|----|---|-----|----|
| Jorgenson  | Michael    | Hayden Lake  | 3  | R | 92  | A- |
| Kelly      | Kate       | Boise        | 18 | D | 96  | A  |
| Keough     | Shawn      | Sandpoint    | 1  | R | 96  | A  |
| Langhorst  | David      | Boise        | 16 | D | 96  | A  |
| Little     | Brad       | Emmett       | 11 | R | 100 | A+ |
| Lodge      | Patti Anne | Huston       | 13 | R | 100 | A+ |
| Malepeai   | Edgar J.   | Pocatello    | 30 | D | 96  | A  |
| Marley     | Bert C.    | McCammon     | 29 | D | 96  | A  |
| McGee      | John       | Caldwell     | 10 | R | 100 | A+ |
| McKenzie   | Curt       | Nampa        | 12 | R | 100 | A+ |
| Pearce     | Monty J.   | New Plymouth | 9  | R | 96  | A  |
| Richardson | Melvin M.  | Idaho Falls  | 32 | R | 96  | A  |
| Schroeder  | Gary J.    | Moscow       | 6  | R | 100 | A+ |
| Stegner    | Joe        | Lewiston     | 7  | R | 96  | A  |
| Stennett   | Clint      | Ketchum      | 25 | D | 96  | A  |
| Sweet      | Gerry      | Meridian     | 20 | R | 95  | A  |
| Werk       | Elliot     | Boise        | 17 | D | 96  | A  |
| Williams   | J. Stanley | Pingree      | 28 | R | 92  | A- |

## LEGISLATIVE SCORECARD—REPRESENTATIVES

| REPRESENTATIVE | FIRST NAME   | CITY             | DISTRICT | PARTY | % VOTES | GRADE |
|----------------|--------------|------------------|----------|-------|---------|-------|
| Anderson       | Eric         | Priest Lake      | 1        | R     | 100     | A+    |
| Andrus         | Ken          | Lava Hot Springs | 29       | R     | 91      | A-    |
| Barracclough   | Jack T.      | Idaho Falls      | 33       | R     | 96      | A     |
| Barrett        | Lenore Hardy | Challis          | 35       | R     | 57      | F     |
| Bastian        | Stan         | Eagle            | 14       | R     | 96      | A     |
| Bayer          | Clifford R.  | Boise            | 21       | R     | 78      | C+    |
| Bedke          | Scott        | Oakley           | 27       | R     | 89      | B+    |
| Bell           | Maxine T.    | Jerome           | 26       | R     | 100     | A+    |
| Bilbao         | Carlos       | Emmett           | 11       | R     | 100     | A+    |
| Black          | Max C.       | Boise            | 15       | R     | 100     | A+    |
| Block          | Sharon L.    | Twin Falls       | 24       | R     | 100     | A+    |
| Boe            | Donna H.     | Pocatello        | 30       | D     | 100     | A+    |
| Bolz           | Darrell      | Caldwell         | 10       | R     | 96      | A     |
| Brackett       | Bert         | Rogerson         | 23       | R     | 90      | A-    |
| Bradford       | Larry C.     | Franklin         | 31       | R     | 95      | A     |
| Cannon         | Joseph S.    | Blackfoot        | 28       | R     | 95      | A     |

|            |            |               |    |   |     |    |
|------------|------------|---------------|----|---|-----|----|
| Chadderdon | Marge      | Coeur d'Alene | 4  | R | 100 | A+ |
| Clark      | Jim        | Hayden Lake   | 3  | R | 84  | B  |
| Collins    | Gary E.    | Nampa         | 12 | R | 100 | A+ |
| Crow       | Dolores J. | Nampa         | 13 | R | 77  | C+ |
| Deal       | "Bill"     | Nampa         | 13 | R | 100 | A+ |
| Denney     | Lawerence  | Midvale       | 9  | R | 95  | A  |
| Edmunson   | Clete      | Fruitland     | 9  | R | 95  | A  |
| Ellsworth  | Julie      | Boise         | 18 | R | 89  | B+ |
| Eskridge   | George E.  | Dover         | 1  | R | 100 | A+ |
| Field      | Debbie S.  | Boise         | 18 | R | 100 | A+ |
| Field      | Frances C. | Grand View    | 23 | R | 100 | A+ |
| Garrett    | Kathie     | Boise         | 17 | R | 100 | A+ |
| Hart       | Phil       | Athol         | 3  | R | 83  | B  |
| Harwood    | "Dick"     | St. Maries    | 2  | R | 86  | B  |
| Henbest    | Margaret   | Boise         | 16 | D | 100 | A+ |
| Henderson  | Frank N.   | Post Falls    | 5  | R | 100 | A+ |
| Jaquet     | Wendy      | Ketchum       | 25 | D | 100 | A+ |
| Kemp       | Jana M.    | Boise         | 16 | R | 96  | A  |
| Lake       | Dennis M.  | Blackfoot     | 28 | R | 91  | A- |

|               |            |                  |    |   |     |    |
|---------------|------------|------------------|----|---|-----|----|
| LeFavour      | Nicole     | Boise            | 19 | D | 91  | A- |
| Loertscher    | Thomas F.  | Iona             | 31 | R | 87  | B+ |
| Martinez      | Elmer      | Pocatello        | 29 | D | 100 | A+ |
| Mathews       | Russ       | Idaho Falls      | 33 | R | 96  | A  |
| McGeachin     | Janice K.  | Idaho Falls      | 32 | R | 87  | B+ |
| McKague       | Shirley    | Meridian         | 20 | R | 71  | C- |
| Miller        | Janet J.   | Boise            | 17 | R | 100 | A+ |
| Mitchell      | Mike P.    | Lewiston         | 7  | D | 100 | A+ |
| Moyle         | Mike P.    | Star             | 14 | R | 87  | B+ |
| Newcomb       | Bruce      | Burley           | 27 | R | 100 | A+ |
| Nielsen       | Pete       | Mountain<br>Home | 22 | R | 87  | B+ |
| Nonini        | Bob        | Coeur d'Alene    | 5  | R | 90  | A- |
| Pasley-Stuart | Anne       | Boise            | 19 | D | 100 | A+ |
| Pence         | Donna L.   | Gooding          | 25 | D | 100 | A+ |
| Raybould      | Dell       | Rexburg          | 34 | R | 91  | A- |
| Ring          | "Bob"      | Caldwell         | 10 | R | 100 | A+ |
| Ringo         | Shirley G. | Moscow           | 6  | D | 100 | A+ |
| Roberts       | Ken A.     | McCall           | 8  | R | 87  | B+ |

|           |           |               |    |   |     |    |
|-----------|-----------|---------------|----|---|-----|----|
| Rusche    | John      | Lewiston      | 7  | D | 100 | A+ |
| Rydalch   | Anne      | Idaho Falls   | 32 | R | 96  | A  |
| Sali      | "Bill"    | Kuna          | 21 | R | 74  | C  |
| Sayler    | George C. | Coeur d'Alene | 4  | D | 100 | A+ |
| Schaefer  | Robert E. | Nampa         | 12 | R | 100 | A+ |
| Shepherd  | Mary Lou  | Wallace       | 2  | D | 100 | A+ |
| Shepherd  | Paul E.   | Riggins       | 8  | R | 77  | C+ |
| Shirley   | Mack G.   | Rexburg       | 34 | R | 100 | A+ |
| Skippen   | Kathy     | Emmett        | 11 | R | 100 | A+ |
| Smith     | Elaine    | Pocatello     | 24 | R | 94  | A  |
| Smith     | Leon E.   | Twin Falls    | 30 | D | 100 | A+ |
| Smylie    | R. Steve  | Boise         | 15 | R | 100 | A+ |
| Snodgrass | Mark A.   | Meridian      | 20 | R | 95  | A  |
| Stevenson | John A.   | Rupert        | 26 | R | 91  | A- |
| Trail     | Tom       | Moscow        | 6  | R | 100 | A+ |
| Wills     | "Rich"    | Glenns Ferry  | 22 | R | 100 | A+ |
| Wood      | JoAn E.   | Rigby         | 35 | R | 71  | C- |

## LEGISLATIVE SCORECARD—Congressional Delegation

Representatives Butch Otter and Mike Simpson and Senators Larry Craig and Mike Crapo.



National legislation regarding people with disabilities is continually reviewed by the SILC but key legislation was, once again, not voted on this year. The Rehabilitation Act is to be reauthorized every 5 years but CILs, the SILC and IDVR have been working under (and funded under) the 1998 Reauthorization of the Rehabilitation Act. The New Freedom Initiative is under investigation by the SILC and looks to combine several other pieces of legislation that has languished within the system for many years: Money Follows the Person, MiCASSA and pieces of the Rehabilitation Act.

-----**Legislation**-----

## **Property Tax, Circuit Breaker**

**Bill Number: HB 422a**

**Status: LAW**

**SILCs Position: Support**

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This legislation expands the “Circuit Breaker” laws that provide property tax breaks for the elderly and people with disabilities. This expansion increases the exemption from \$22,500 to \$28,000 as the income qualifier and increases the maximum of participation from the state from \$1,200 to \$1,320.

## **Mental Health Records, Offenders**

**Number: HB 430**

**Status: LAW**

**SILCs Position: Support**

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The purpose of this legislation is to facilitate the transfer of mental health records of incarcerated persons and to ensure that such persons receive proper and continuous care from the time they enter the criminal justice system until the time they leave it to re-enter society. This will enhance the quality of care and reduce recidivism due to mental health issues.

## **Veterans Services: Transfer of Property**

**Bill Number: HB 477**

**Status: LAW**

**SILCs Position: Support**

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This bill corrects an oversight in the original legislation transferring the powers and duties concerning services to veterans from the Department of Health and Welfare to the Division of Veterans Services. The amended language allows the administrator of the Division of Veterans Services to exercise control over such property.

## **Professional Technical Education (PTE), Vocational Rehabilitation Services**

**Bill Number: HB 547**

**Status: LAW**

**SILCs Position: Support**

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When the Extended Employment Program transferred from the Dept of Health and Welfare (DHW) to the Idaho Division of Vocational Rehabilitation (IDVR) the existing rules for that program terminated. This legislation would give the State Board of Education the authority to adopt rules to govern this and other programs that IDVR oversees. This legislation also clarifies IDVR's ability to grant or deny certification to service providers based on criteria that will be set out in rule, and to enter into contracts with service providers.

## **Health Care Parity (Mental Health Parity) for state employees**

**Bill Number: HB 615**

**Status: LAW**

**SILCs Position: Support**

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This legislation creates a pilot program to allow the state to establish the real costs and benefits of including mental health coverage in group health

insurance coverage. This legislation sets forth findings of the legislature concerning the costs, both societal and economic, of leaving mental health disorders untreated. It creates prohibitions against excluding mental disorders from health insurance for state employees and requires the Department of Administration to gather data, produce and submit a report to the legislature by January 31, 2009 detailing the actual costs of these benefits and allowing the legislature to evaluate the effectiveness of this legislation in stabilizing healthcare costs and reducing repetitive visits for physical ailments that may be associated with untreated mental illness.

## **Medicaid—Personal Health Accounts**

**Bill Number:** HB 663a

**Status:** LAW

**SILCs Position:** Under Investigation

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This legislation will permit the Department of Health and Welfare to establish Personal Health Accounts for Medicaid participants. This will also require the department to establish enforceable cost sharing (copays).

### **Justin Dart, Jr.'s vision of a "revolution of empowerment":**

**"a revolution that confronts and eliminates obsolete thoughts and systems, that focuses the full power of science and free-enterprise democracy on the systematic empowerment of every person to live his or her God-given potential."**

## **Medicaid for Workers with Disabilities (formally Medicaid Buy-In)**

**Bill Number:** HB 664

**Status:** LAW

**SILCs Position:** Support

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This legislation creates a Medicaid for Workers with Disabilities (formally known as Medicaid Buy-In) program for Idahoans with disabilities. Medicaid for Workers with

Disabilities helps transition people to work by permitting them to receive Medicaid while working. For people with disabilities currently on Medicaid, there is no incentive to work more than part-time since if they earn even one dollar too much, they lose their Medicaid coverage. That coverage pays for the supports and services that people with disabilities need to go to work. With this program, when the eligible person goes to work, they pay a sliding scale premium enabling them to retain their coverage.

## **Health Insurance, Certain Coverage Required**

**Bill Number: HB 667**

**Status: FAILED**

**SILCs Position: Under Investigation**

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This legislation modifies current legislation to require certain disability insurance contracts, group disability insurance contracts, blanket disability insurance contracts, subscriber contracts, managed care organization plans and self-funded plans to provide coverage for special medical formulas and early intervention services up to a specified benefit limit and approved by the Department of Health & Welfare. Coverage is to be provided for the medically necessary treatment of congenital anomalies.

## **Medicaid Fraud**

**Bill Number: HB 668**

**Status: FAILED**

**SILCs Position: Support**

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This legislation provides for the investigation and prosecution of Medicaid fraud by the Office of Attorney General. Medicaid fraud is currently monitored as part of a combined unit in the Dept of Health and Welfare and does not meet the independence requirements to become federally certified. Idaho is one of only two states that do not have a Certified Medicaid Fraud Control Unit. The Federal Government recognizes the need for an independent fraud unit by offering to pay most of the costs.

## **Health Care Directory—(replaces HB 468)**

**Bill Number: HB 708**

**Status: LAW**

**SILCs Position: Support**

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This legislation creates a health care directive registry within the Office of the Secretary of State. The Directory would contain copies of an individual's living will and durable power of attorney. The individual would be given a password allowing access to the on-line documents. The password could then be shared with a hospital, physician, family member, friend, etc. Advantage: individuals traveling and who require medical treatment could ensure access to their documents anywhere in the United States. The Directory would not be subject to public records requests.

HB 708 includes a release from liability for the State of Idaho and the secretary of state for any claims or demands arising out of the administration or operation of the health care directive registry and creates a health care directive registry fund (continuously funded). Funds to be used to support, promote and maintain the health care directive registry.

## **Defendant, Drug/Mental Health Court**

**Bill Number: HB 716**

**Status: LAW**

**SILCs Position: Support**

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This bill would allow graduates of drug courts and mental health courts to seek the relief provided by Idaho Code 19-2604 if they successfully complete the drug court or mental health court program and comply with all conditions of probation following their graduation. *Under Idaho Code 19-2604, criminal defendants who are placed on probation may have their convictions set aside if: (1) they have "at all times complied with the terms and conditions" of probation; (2) there is no longer cause for continuing probation; and (3) terminating probation and setting aside the conviction is compatible with the public interest. Similarly, defendants who are placed on retained jurisdiction (a "rider") and subsequently receive probation may have their felony*

*convictions reduced to misdemeanors if they have "at all times complied with the terms and conditions" of probation.*

## **Mental Illness, Treatment (replaces HB 669)**

**Bill Number: HB 734**

**Status: LAW**

**SILCs Position: Support**

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A problem arises under the current statute when a person who is considered gravely disabled (i.e. one who poses a risk to themselves or others) refuses care or seeks to leave the facility. The purpose of this legislation is to clarify certain statutory provisions and authorize hospital directors (or their delegates) to detain a person who is gravely disabled for 24 hours, thereby giving the Department of Health & Welfare an opportunity to conduct an exam, and, if necessary, initiate appropriate court proceedings for commitment. The same conditions and limits would apply to hospitals as currently apply to law enforcement.

**“... I call for solidarity among all who love justice, all who love life, to create a revolution that will empower every single human being to govern his or her life, to govern the society and to be fully productive of life quality for self and for all. ....”**  
**— Justin Dart, Jr.**

## **Medicaid Simplification Act (replaces HB 662)**

**Bill Number: HB 776**

**Status: LAW**

**SILCs Position: Under Investigation**

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This bill is an amended version of HB 662 and would authorize the Department of Health and Welfare (DHW) to restructure the Idaho Medicaid program by simplifying

current eligibility categories by establishing three new population groups, based on participants' health needs. The bill authorizes the DHW to develop a State Plan for Medical Assistance for each of the three groups. The bill also describes the benefits for each of the three groups and provides a global benefit list for all Idaho Medicaid participants.

## **Suicide Prevention Plan**

**Bill Number: HCR 31**

**Status: ADOPTED**

**SILCs Position: Support**

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The Idaho Suicide Plan was developed to address the serious problem of suicide in Idaho as a guide for agencies, organizations, and individuals. This legislation has been adopted by both the House and the Senate.

## **Medicaid, Prescription Drugs, Financing Program**

**Bill Number: HCR 49**

**Status: ADOPTED**

**SILCs Position: Support**

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This House Concurrent Resolution requests that the Legislature encourage the Dept of Health and Welfare (DHW) to implement programs that integrate financing for prescription drugs excluded from coverage under Medicare Part D. Financing Medicaid coverage for these drugs through providers of Medicare drug benefits may result in more coordinated care and delivery of prescription drug benefits to individuals who are eligible for both Medicaid and Medicare. The DHW is required to report the results of such programs to the Legislature along with recommendations for further legislative action.

## **Medicaid Recipient, Enrollment in Medicare as Condition of Eligibility**

**Bill Number: HCR 53**

**Status: ADOPTED**

**SILCs Position: Support**

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This House Concurrent Resolution recognizes the importance of Medicaid's role as the payer of last resort for Idahoans with low incomes and/or special needs and encourages the Department of Health & Welfare (DHW) to require Medicare-eligible individuals to enroll in Medicare as a condition of eligibility for Medicaid. This requirement will reduce the use of state general fund dollars to cover these individuals and provide, at minimum, the same benefits that they currently receive. The DHW will be required to report the results of the benefit change to the Legislature.

## **Mental Health Courts**

**Bill Number: SB 1252**

**Status: LAW**

**SILCs Position: Support**

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This legislation provides that parole and probation officers have the authority to arrest persons under the mental health court without a warrant, or to authorize another officer to make such arrest.

## **Text Book Publishers to Provide Electronic Format (EText)**

**Bill Number: SB 1308**

**Status: FAILED**

**SILCs Position: Support**

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The purpose of this legislation is to require publishers of textbooks and other printed instructional materials which have been adopted for instructional use by Idaho postsecondary educational institutions to provide an electronic version



upon request of the institutions. This will allow the provision of Braille, audio or other electronic formats for students who are blind, visually impaired or have a diagnosed reading disability. The legislation also provides copyright protection for the publishers.

## **Idaho Educational Interpreter Act**

**Bill Number: SB 1316**

**Status: LAW**

**SILCs Position: Support**

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A recent survey of educational interpreters revealed that 60% of Idaho K-12 interpreters who took the national assessment could only interpret up to 60% of the information. The purpose of this legislation is to create minimum standards for K-12 educational interpreters serving deaf or hard-of-hearing students. Currently, Idaho Code contains no minimum standards to ensure interpreters meet any level of competency. School administrators have no standard measurement to base hiring decisions. Deaf and hard-of-hearing students are entitled to a free and appropriate public education in the least restrictive environment.

## **Medical Assistance Payments**

**Bill Number: SB 1318**

**Status: LAW**

**SILCs Position: Under Investigation**

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This bill clarifies how the Medicaid Estate Recovery division of Health & Welfare can recover assets from the estate of a decedent and clears up a number of uncertain areas of law. This bill allows the Department of Health & Welfare (DHW) to be a successor to the estate and provides steps detailing eligibility, notification and rights. The procedure is expected to be less expansive than filing a full probate proceeding.

## **Long Term Care Providers, Criminal Background Checks**

**Bill Number: SB 1327**

**Status: LAW**

**SILCs Position: Support**

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This legislation will help the state protect vulnerable Idahoans by providing the Department of Health & Welfare (DHW) statutory authority to require finger print based criminal history and background checks on employees, contractors, providers and others who have unsupervised or provide direct care services to children and vulnerable adults.

## **Certified Family Homes, Public Records Exemption**

**Bill Number: SB 1338**

**Status: LAW**

**SILCs Position: Support**

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The intent of this legislation is to protect the identity of an individual filing a complaint against a Certified Family Home. Records maintained by the Department of Health & Welfare (DHW) will be held confidential unless the complainant consents in writing to disclosure (or if disclosure of the complainant's identity is required in any administrative or judicial proceedings). This legislation would also allow an individual that registers a complaint against a Certified Family Home to do so anonymously if they so choose.

## **Personal Care Services**

**Bill Number: SB 1339**

**Status: LAW**

**SILCs Position: Support**

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This legislation amends existing law to remove the standard which requires that personal care services be ordered by a physician or authorized provider. Federal

regulations no longer require a physician order for this service if at the State's option the service is otherwise authorized for the individual in accordance with a service plan approved by the State. This removes an unnecessary step in the authorization process for personal care services.

## **Regional Mental Health Services**

**Bill Number: SB 1389a**

**Status: LAW**

**SILCs Position: Support**

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Codifies the State Mental Health Planning Council and adds transitional housing and intensive support and services for individuals with mental illness. The Sub-Committee on Mental Health recommended and the Joint Finance –Appropriations Committee (JFAC) appropriated \$4,000,000 this year to fund the regional grant program created by this legislation.

**“Most importantly, ADA is a landmark commandment of fundamental human morality. It is the world’s first declaration of equality for people with disabilities by any nation. It will proclaim to America and to the world that people with disabilities are fully human; that paternalistic, discriminatory, segregationist attitudes are no longer acceptable; and that henceforth people with disabilities must be accorded the same personal respect and the same social and economic opportunities as other people.” — Justin Dart, Jr.---**

## **Medicaid Benefits—Caregivers (Replaced with HB 887)**

**Bill Number: SB 1390a**

**Status: FAILED**

**Bill Number: HB 887**

**Status: LAW**

**SILCs Position: Support**

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Both pieces of legislation are intended to establish a Medicaid respite care benefit for family caregivers of people at risk of nursing home placement.

SB 1390a was killed and replaced by the House version, HB 887. HB 887, which was signed into law, differs from SB 1390a because it requires a cap of 500 persons and includes a sunset (termination) date of July 1, 2009.

## **Crime Victim, Mental Health Benefit**

**Bill Number: SB 1414**

**Status: LAW**

**SILCs Position: Support**

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This legislation addresses the need for mental health treatment for victims of trauma arising out of criminal conduct. It amends the definition of "extenuating circumstances" under which the industrial commission may waive the current \$2,500 cap on mental health benefits, thereby allowing mental health treatment to continue for as long as is needed subject to annual review.

## **Sovereign Immunity**

**Bill Number: SB 1419**

**Status: FAILED**

**SILCs Position: Support**

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Just as Idaho has waived sovereign immunity in other cases, this bill (if enacted) would place the same duties of non-discrimination and reasonable accommodation for employees with disabilities on the state as every other governmental and private employer. It would provide people with disabilities the same legal protections and remedies in dealing with the state as exists with every other level of government or private business.

## **Special Education Services to Students at the School for Deaf/Blind**

**Bill Number: SB 1427**

**Status: LAW**

**SILCs Position: Under Investigation**

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This bill updates language in the law and allows for the Idaho School for the Deaf/Blind to provide services for children who are deaf and/or blind and who qualify for special education services both on their campus and in consultation statewide.

## **DATES and EVENTS TO REMEMBER**

### **STATE PLAN FOR INDEPENDENT LIVING (SPIL)**

It is time once again to develop the three year SPIL. This SPIL will be effective for 2008-2010. The SILC and the Centers for Independent Living (CIL) will determine dates and locations for focus groups beginning this summer to garner input from you for the SPIL. Please contact your local CIL if you are interested in participating in this important process.

### **2007 Statewide Independent Living Conference**

The 2007 Statewide IL Conference has been scheduled for February 5-8, 2007 in Boise at the Boise Centre on the Grove. Details are in the works now so mark your calendars and plan to attend!

**Idaho State Independent Living Council (SILC)**  
**P.O. Box 83720**  
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